q	ase 2:08-cr-00064-JCM-EJY Document 53	8 Filed 07/08/13	Page 1 of 3
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6	Counsel for STEVEN GRIMM		
7			
8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
10			
11	UNITED STATES OF AMERICA,	2:08-cr-00064-RLH-GWF	
12	Plaintiff,	UNOPPOSED MOTION FOR	
13	vs. ADDITIONAL TIME TO REPLY TO THE GOVERNMENT'S RESPONSE TO		
14	STEVEN GRIMM, et al.,	DEFENDANT GRIMM'S MOTION FOR NEW TRIAL BASED ON NEWLY DISCOVERED EVIDENCE	
15	Defendants.		
16			
17	<u>Certification</u> : This Motion is timely filed		
18	Steven Grimm, by and through his counsel of record, Alina M. Shell, Assistant		
19	Federal Public Defender, and Eve Mazzarella by and through her counsel of record, Mark		
20	Allenbaugh, move this Court for additional time to Reply to the Government's Response to		
21	Defendant's Motion for New Trial.		
22	DATED this 5th day of July, 2013.		
23			
24	4 /s/ Alina M. Shell /s/ Mark A ALINA M. SHELL /s/ MARK A		
25	Assistant Federal Public Defender Counsel for Defendant Grimm	MARK ALLENBAUGH Counsel for Defendant Mazzarella	
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MEMORANDUM OF POINTS AND AUTHORITIES

On May 22, 2013 Defendant Grimm filed a Motion for New Trial Based on Newly Discovered Evidence (*Brady* Material) and for Discovery (CR 525). On May 25, 2013 Defendant Mazzarella also filed a Motion for New Trial Based on Newly Discovered Evidence (*Brady* Material) and for Discovery (CR 528).

On June 4, 2013 the Government filed a Motion to Extend Time to Respond (CR 529). On June 5, 2013 the Court granted the extension to July 5, 2013 (CR 530). On July 2, 2013 the Government filed its Response to Defendant Grimm's Motion for New Trial Based on Newly Discovered Evidence (*Brady* Material) and for Discovery (CR 533). The Defendant's Reply to the Response is due on July 8, 2013.

Counsel for Grimm has Oral Argument in front of the Ninth Circuit on July 10, 2013, for which she has been diligently preparing. She also is scheduled to travel to Northern California on July 15, 2013, to meet with a client at FCI Mendota. Due to these facts, counsel requires additional time to review the Government's Response, and to prepare and file a Reply.

Therefore, counsel requests an extension until July 22, 2013 to file it's Reply. DATED this 5th day of July, 2013.

RENE L. VALLADARES Federal Public Defender

/s/ Alina M. Shell

By

ALINA M. SHELL, Assistant Federal Public Defender

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

DATED: July 8, 2013

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Law offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on July 5, 2013, she served an electronic copy of the above and foregoing UNOPPOSED MOTION TO EXTEND TIME TO REPLY TO GOVERNMENT'S RESPONSE TO DEFENDANT GRIMM'S MOTION FOR NEW TRIAL BASED ON NEWLY DISCOVERED EVIDENCE (*BRADY* MATERIAL) AND FOR DISCOVERY (Evidentiary Hearing Requested) by electronic service (ECF) to the person named below:

DANIEL BOGDEN United States Attorney 333 Las Vegas Blvd. South, # 5000 Las Vegas, Nevada 89101

/s/ Karen Brokaw
Employee of the Federal Public Defender

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